

REMARKS

In the Final Office Action¹ mailed November 12, 2009, the Examiner rejected claims 1-4, 6-8, and 34-64 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,853,713 to *Fobert* in view of U.S. Patent No. 6,687,362 to *Lindquist*.

By this Amendment, Applicants amend claims 1, 53, and 56, and cancel claims 54 and 57 without prejudice or disclaimer.

I. The Telephonic Interview of January 11, 2010

Applicants thank the Examiner for the time and courtesy extended during the telephonic interview of January 11, 2010. During the interview, the Examiner agreed that independent claims 34, 59, and 62 are distinguishable from the cited references for the reasons set forth during the interview, which are discussed below. Furthermore, the Examiner agreed that amendments to independent claims 1, 53, and 56 presented herein would distinguish the art of record. The substance of the interview is incorporated into this response.

II. The Rejection of Claims 1-4, 6-8, and 34-64 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection for at least the following reasons. Claims 54 and 57 have been canceled, rendering the rejection moot with respect to these claims.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

A. Claims 1-4, 6-8, 53, 55, 56, and 58

Claim 1 recites, for example, a computer-implemented method comprising, among other things, "receiving, from a user, filter settings ... specifying one or more telephone numbers, locations, devices, or names for which associated contact-related information is not added to the address book" (emphasis added).

Fobert discloses a client terminal controller adapted to retrieve information about an incoming caller and convey the information to a client terminal user on a graphical display (*Fobert*, abstract). However, as conceded on page 7 of the Office Action, *Fobert* does not teach or suggest "filter settings specify[ing] one or more telephone numbers, locations, devices, or names for which associated contact-related information is not added to the address book." Accordingly, *Fobert* also fails to teach or suggest "receiving, from a user, filter settings ... specifying one or more telephone numbers, locations, devices, or names for which associated contact-related information is not added to the address book," as recited by independent claim 1 (emphasis added).

Lindquist discloses an automatic address update system 101, and a flow chart that illustrates the operation of the system (*Lindquist*, col. 4, lines 53-56 and FIG. 3). *Lindquist* also discloses adding additional or updated information to a subscriber's address book at steps S306-S308 of the flow chart (*Lindquist*, col. 5, line 54 to col. 6, line 3). *Lindquist's* automatic address book updates include variations where entries are only added to a subscriber's address book once a predetermined number or frequency of calls occur between the subscriber and the called/calling party (*Lindquist*, col. 6, lines 28-32). In such variations, the user's address book is not populated by

every call, but rather only entries corresponding to frequently called numbers are automatically updated (*Lindquist*, col. 6, lines 33-35).

In addressing canceled dependent claim 54, the Office Action relies on the above-identified variations of *Lindquist's* system (Office Action at page 7). However, as discussed in the interview, the claimed "filter settings ... specifying one or more telephone numbers, locations, devices, or names for which associated contact-related information is not added to the address book" are "receiv[ed] from a user." In contrast, *Lindquist* does not disclose or suggest that the user specifies a telephone number, location, device, or name for which associated contact-related information is not added to the address book. Rather, as already discussed and as agreed to by the Examiner, *Lindquist* merely discloses that only telephone numbers that are dialed with a certain frequency are automatically updated in the address book. Accordingly, *Lindquist* also fails to teach or suggest "receiving, from a user, filter settings ... specifying one or more telephone numbers, locations, devices, or names for which associated contact-related information is not added to the address book," as recited by independent claim 1 (emphasis added).

Accordingly, no *prima facie* case of obviousness has been established with respect to claim 1. Although of different scope, independent claims 53 and 56 are distinguishable from the cited references for at least similar reasons as set forth above with respect to independent claim 1. Claims 2-4 and 6-8 depend from claim 1, claim 55 depends from independent claim 53, and claim 58 depends from independent claim 56, and these dependent claims are allowable at least due to their dependence.

B. Claims 34-52 and 59-64

Independent claim 34 recites, for example, a computer-implemented method comprising, among other things, "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party" (emphasis added).

Fobert discloses a client terminal controller adapted to retrieve information about an incoming caller and convey the information to a client terminal user on a graphical display (*Fobert*, abstract). However, as conceded on page 6 of the Office Action, *Fobert* does not teach or suggest "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party" (emphasis added).

Lindquist discloses an automatic address update system 101, and a flow diagram that illustrates the operation of the system (*Lindquist*, col. 4, lines 53-56 and FIG. 3). *Lindquist* also discloses adding additional or updated information to a subscriber's address book at steps S306-S308 of the flow chart (*Lindquist*, col. 5, line 54 to col. 6, line 3). The Office Action relies on *Lindquist's* updating of the address book in addressing the above-identified claim recitations (Office Action at page 6). However, the claimed "updating" is "independent[] of communications between the user and the party." In contrast, *Lindquist* clearly discloses that the operation of the system is initiated when the subscriber originates or receives a telephone call (*Lindquist*, col. 4, lines 56-60 and FIG. 3, ref. 301). Accordingly, *Lindquist's* address book is not updated "periodically" or "independently of communications between the user and the party," but

rather when the subscriber originates or receives a call. Therefore, as agreed to by the Examiner during the interview, *Lindquist* does not teach or suggest “periodically updating the contact-related information stored in the address book, independently of communications between the user and the party” as recited by independent claim 34 (emphasis added).

Accordingly, no *prima facie* case of obviousness has been established with respect to claim 34. Although of different scope, independent claims 59 and 62 are distinguishable from the cited references for at least similar reasons as set forth above with respect to independent claim 34. Claims 35-52 depend from claim 34, claims 60 and 61 depend from independent claim 59, and claims 63 and 64 depend from independent claim 62, and are allowable at least due to their dependence.

III. Conclusion

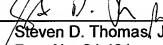
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 19, 2010

By: 
Steven D. Thomas, Jr.
Reg. No. 64,421